

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

At the outset, the Applicants wish to thank Examiner Chen for the courtesy shown to their attorney during a telephone interview on October 31, 2005.

During this interview, it was agreed that the above claim amendments (clarifying that the first and second downlink slots are different and the first and second downlink PDCHs are different) would be entered and would patentably define the claims over the applied prior art.

The following includes a summary of the discussion during the telephone interview.

The pending prior art rejections are as follows:

(1) claims 73-84, 86, 103-114, and 116 stand rejected under 35 USC 102(b) as anticipated by Chellariga et al. (US 2001/0030956); of these claims, claims 73, 79, 103, and 109 are independent;

(2) Dependent claims 85, 87-102, 115, and 117-132 stand rejected under 35 USC 103(a) as obvious over Chellariga et al. in view of Abdesselem (US 2004/0151143).

(3) Dependent claims 101, 102, 131, and 132 stand rejected under 35 USC 103(a) as obvious over Chillariga et al. in view of Abdesselem further in view of Parantainen (US 2002/0181422).

In Chillariga, a reservation block or set B0 reserves a set of blocks (12 uplink blocks) called the allocation set or frame. The reference shows a type of non-shifted USF operation in Fig. 3 and a type of offset or shifted USF operation in Fig. 7. The shift or offset is such that in Fig. 3, MFx includes blocks B0-B11, whereas in the "shifted" Fig. 7, OFFSET MFx includes blocks B1-B11, B0. Thus, B0 of MFx is in OFFSET MFx-1, B0 of MFx+1 is in OFFSET MFx, and so on. But, with respect to both shifted and non-shifted embodiments, the same downlink block B0 still provides USF control information for the same uplink blocks.

During the interview, it was emphasized that the invention uses different downlink slots to instruct uplink transmission on the same uplink slot, depending upon whether shifted USF or non-shifted USF operation is being performed. In other words, either the first downlink slot or the second downlink slot (which is different from the first downlink slot) may be used to instruct uplink transmission on the first uplink slot. It was agreed during the interview that Chillariga does not teach such operation because in Chillariga's Fig. 7, the first downlink block instructs blocks B1-B11 and B0 of OFFSET MFx and the second downlink block instructs

blocks B1-B11 and B0 of OFFSET MFx+1 (see Exhibit III attached to the Amendment filed July 5, 2005). In other words, the first and second downlink blocks B0 instruct different uplink blocks in different multiframe. Hence, Chillariga does not teach or suggest the present claimed invention which uses different downlink slots to instruct uplink transmission on the same uplink slot, depending upon whether shifted USF or non-shifted USF operation is being performed, i.e., wherein either the first downlink slot or the second downlink slot may be used to instruct uplink transmission on the first uplink slot, depending upon shifted USF or non-shifted USF operation.

In view of the above, it was agreed during the interview that independent claims 73, 79, 103 and 109 are not anticipated by Chillariga. Thus, allowance of these claims and all claims dependent therefrom is warranted.

Abdesselem and Parantainen are cited only against dependent claims and add nothing that would cure the above-noted deficiencies of Chillariga.

Thus, in light of the foregoing, it is submitted that all pending claims are allowable over the individual or combined teachings of the applied art.

A Notice of Allowance is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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